

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

MDL No. 2804

*This document relates to:*

Case No. 1:17-md-2804

*All Cases Noted on Attached Appendix A*

JUDGE DAN AARON POLSTER

**MASTER STIPULATION AND ORDER  
DISMISSING WITH PREJUDICE CLAIMS PURSUANT TO  
WALMART WEST VIRGINIA SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff West Virginia Subdivisions identified in Appendix A (collectively, the “Dismissing WV Plaintiffs”) and Walmart and its related entities (collectively and together with their Released Entities, the “Walmart Defendants”<sup>1</sup>) that, pursuant to the election of each Dismissing WV Plaintiff to participate in the Walmart West Virginia State-Wide Opioid Settlement Agreement, which is dated September 20, 2022 and is binding on the Dismissing WV Plaintiffs and the Walmart Defendants (a copy of which is attached as Appendix B), all claims of each Dismissing WV Plaintiff against any Walmart Defendant are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs.

---

<sup>1</sup> The Released Entities are each and every entity of any of the Walmart Defendants that is a “Released Entity” as defined in Section II.GG of the Walmart West Virginia State-Wide Opioid Settlement Agreement, including those listed in the Illustrative List of Released Entities in Exhibit H of the Walmart West Virginia State-Wide Opioid Settlement Agreement.

Dated: December 8, 2023

Respectfully submitted,

Agreed as to form and substance:

**DISMISSING WV PLAINTIFFS**

/s/ John D. Hurst

Joseph F. Rice  
Anne McGinness Kearse  
Motley Rice  
28 Bridgeside Blvd.  
Mount Pleasant, SC 29464  
843-216-9000  
843-216-9450 (fax)  
jrice@motleyrice.com  
akearse@motleyrice.com

John D. Hurst  
Motley Rice  
50 Clay Street, Suite 1  
Morgantown, WV 26501  
304-413-0457  
jhurst@motleyrice.com

*Counsel for*

*Buckhannon, WV (1:18-op-46085)*  
*Calhoun County, WV (1:18-op-45312)*  
*Ceredo, WV (1:18-op-45984)*  
*Charleston, WV (1:18-op-45224)*  
*Charleston, WV (1:18-op-45984)*  
*Clendenin, WV (1:18-op-46127)*  
*Dunbar, WV (1:18-op-45546)*  
*Eleanor, WV (1:18-op-45387)*  
*Fort Gay, WV (1:18-op-45225)*  
*Gauley Bridge, WV (1:18-op-46278)*  
*Glenville, WV (1:18-op-45384)*  
*Granville, WV (1:18-op-45320)*  
*Huntington, WV (1:17-op-45054)*  
*Huntington, WV (1:18-op-45984)*  
*Hurricane, WV (1:18-op-45293)*  
*Kenova, WV (1:18-op-45984)*  
*Kenova, WV (1:18-op-46346)*  
*Logan, WV (1:18-op-45317)*  
*Milton, WV (1:18-op-45321)*  
*Montgomery, WV (1:18-op-46128)*

*Nicholas County, WV (1:18-op-45314)*

*Parkersburg, WV (1:18-op-45315)*

*Princeton, WV (1:18-op-46054)*

*Quinwood, WV (1:18-op-45324)*

*Rainelle, WV (1:18-op-45322)*

*Rupert, WV (1:18-op-45323)*

*Saint Albans, WV (1:18-op-45269)*

*Smithers, WV (1:18-op-45319)*

*Sophia, WV (1:18-op-46129)*

*Summersville, WV (1:18-op-45316)*

*Winfield, WV (1:18-op-45294)*

/s/ Anthony J. Majestro

Anthony J. Majestro

Powell & Majestro

Ste. P1200

405 Capitol Street

Charleston, WV 25301

304-346-2889

304-346-2895 (fax)

amajestro@powellmajestro.com

*Counsel for*

*Cabell County, WV (1:17-op-45053)*

*Fayette County, WV (1:17-op-45062)*

*Kanawha County, WV (1:17-op-45063)*

*Kermit, WV (1:17-op-45058)*

*Lincoln County, WV (1:17-op-45060)*

*Logan County, WV (1:18-op-45000)*

*Wayne County, WV (1:17-op-45052)*

*Williamson, WV (1:17-op-45057)*

/s/ Andrew C. Skinner

Andrew C. Skinner

Laura C. Davis

Macon Bryan Epps Gray

Stephen G. Skinner

Skinner Law Firm

P.O. Box 487  
Charles Town, WV 25414  
301-725-4029  
304-725-4082 (fax)  
*Counsel for*  
*Berkeley County, WV (1:17-op-45171)*  
*Charles Town, WV (1:19-op-45250)*  
*Jefferson County, WV (1:17-op-45170)*

/s/ Aaron L. Harrah

Aaron L. Harrah  
Hill, Peterson, Carper, Bee & Deitzler  
500 Tracy Way  
Charleston, WV 25311  
304-345-5667  
Fax: 304-345-1519  
aaron@hpcbd.com  
*Counsel for*  
*Greenbrier County, WV (1:19-op-45080)*  
*Vienna, WV (1:19-op-45042)*

/s/ Christopher M. Davis

Christopher M. Davis  
Wooton Davis Hussell & Ellis  
201 North Kanawha Street  
PO Box 2600

Beckley, WV 25802  
304-255-2188  
304-255-2189 (fax)  
chris.davis@wwdhe.com  
*Counsel for*  
*Raleigh County, WV (1:18-op-45108)*

/s/ Letitia Neese Chafin

Letitia Neese Chafin  
Chafin Law Firm, PLLC  
2 W 2nd Avenue  
US Post Office-2nd Floor  
Williamson, WV 25661  
304-235-2221  
chafin@thechafinlawfirm.com  
*Counsel for*  
*Chapmanville, WV (1:17-op-45055)*  
*Gilbert, WV (1:17-op-45059)*  
*Hamlin, WV (1:18-op-45386)*  
*McDowell County, WV (1:17-op-45066)*  
*Mercer County, WV (1:17-op-45064)*  
*Mingo County, WV (1:18-op-45940)*  
*Welch, WV (1:17-op-45065)*  
*West Hamlin, WV (1:18-op-45941)*

## **WALMART, INC.**

/s/ Tina M. Tabacchi

Tina M. Tabacchi  
Tara A. Fumerton  
JONES DAY  
110 N. Wacker Dr., Suite 4800  
Chicago, IL 60601  
Phone: (312) 782-3939  
E-mail: tmtabacchi@jonesday.com  
E-mail: tfumerton@jonesday.com

*Attorneys for Walmart Defendants*

## **SO ORDERED:**

Dated: 12/11/2023

*s/ Dan Aaron Polster*

HON. DAN AARON POLSTER  
U.S. DISTRICT JUDGE